

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

MARK W DEPREY,

Plaintiff,

v.

Case No. 10-C-805

EARL HYLOK,

Defendant.

---

**ORDER**

---

Counsel for the plaintiff has submitted a letter requesting that this matter be scheduled for a scheduling conference. Although the Defendant has not made an appearance or filed an answer, counsel for the Plaintiff indicates that he has received an “answer of sorts” by email on October 11, 2010.

Scheduling conferences are not set until issue is joined. Issue is joined when a proper answer is filed in the Court. No such answer has been filed and thus a scheduling conference would be premature. Moreover, as a practical matter, the Court has no way of notifying Mr Hylok of the scheduling conference since it has no address or contact information. Accordingly the request for a scheduling conference is denied. Plaintiff, of course, has other remedies available under the Federal Rules of Civil Procedure when a defendant does not properly respond to a complaint. Counsel may either suggest to the defendant that he file a proper response, or utilize one of those other remedies.

**SO ORDERED** this 16th day of November, 2010.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge